

Mr. YOUNG of Alaska. Mr. Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Speaker, the gentleman is correct. Some Members are interested in offering amendments to H.R. 39 who would be unable to participate this afternoon. Therefore, it is my intent to ask that the Committee rise after conclusion of general debate and, if I may continue, with my understanding with my good friend, the gentleman from California, that eventually this bill will pass this House to get over to the Senate after we consider all amendments that are to be offered. We must proceed, because this has been sunsetted now for 1½ years, so we would like to get it done.

Mr. MILLER of California. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

#### SHENANDOAH VALLEY NATIONAL BATTLE FIELD PARTNERSHIP ACT OF 1995

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1091) to improve the National Park System in the Commonwealth of Virginia, as amended.

The Clerk read as follows:

H.R. 1091

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### TITLE I—RICHMOND NATIONAL BATTLEFIELD PARK

##### SEC. 101. MODIFICATION OF BOUNDARY.

The first section of the Act of March 2, 1936 (Chapter 113; 49 Stat. 1155), is amended to read as follows:

"SECTION 1. (a) In order to preserve the site of the 1862 Peninsula Campaign and the 1864-65 battle of Richmond, in the vicinity of Richmond, Virginia, as a national battlefield park for the benefit and inspiration of the people of the United States, there is hereby established, subject to existing rights, the Richmond National Battlefield Park (hereinafter in this Act referred to as the 'Park').

"(b) The Park shall consist of—

"(1) lands, waters, and interests therein within the area generally depicted on the map entitled 'Richmond National Battlefield Park, Land Status Map', numbered 367/92,000, and dated September 1993; and

"(2) upon donation of title acceptable to the Secretary of the Interior (and acceptance by the Secretary), the following tracts: a tract of 750 acres at Malvern Hill, a tract of 15 acres at Beaver Dam Creek, a tract of 100 acres at Cold Harbor, and a tract of 42 acres at Bethesda Church.

"(c) As soon as practicable, the Secretary of the Interior shall complete a boundary map (including tracts referred to in subsection (b)(2)) for the Park. The map required by this subsection and the map referred to in subsection (b)(1) shall be on file and available for public inspection in the office of the National Park Service, Department of the Interior.

"(d) The Congress recognizes the national significance of the Battle of New Market

Heights and declares it to be in the public interest to ensure the preservation of the New Market Heights Battlefield so that an important aspect of American history can be interpreted to the public. The Congress directs the Secretary to work cooperatively with the Commonwealth of Virginia, the county of Henrico, Virginia, and property owners within or impacted by the battlefield area to develop alternatives to ensure implementation of these goals. The Secretary shall submit a report outlining such alternatives to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate no later than June 1, 1996."

##### SEC. 102. REPEAL OF PROVISION REGARDING PROPERTY ACQUISITION.

The Act of March 2, 1936 (Chapter 113; 49 Stat. 1155), is amended by striking section 2.

##### SEC. 103. ADMINISTRATION.

Section 3 of the Act of March 2, 1936 (Chapter 113; 49 Stat. 1156), is redesignated as section 2 and is amended by striking the period and inserting ", and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467)."

#### TITLE II—SHENANDOAH NATIONAL PARK

##### SEC. 201. MODIFICATION OF BOUNDARY.

(a) IN GENERAL.—The boundary of Shenandoah National Park is hereby modified to include only those lands and interests therein that, on the day before the date of the enactment of this Act, were in Federal ownership and were administered by the Secretary of the Interior (hereinafter in this title referred to as the "Secretary") as part of the park. So much of the Act of May 22, 1926 (Chapter 363; 44 Stat. 616) as is inconsistent herewith is hereby repealed.

(b) MINOR BOUNDARY ADJUSTMENTS AND LAND ACQUISITION.—

(1) MINOR BOUNDARY ADJUSTMENTS.—The Secretary is authorized to make minor adjustments to the boundary of Shenandoah National Park, as modified by this title, to make essential improvements to facilitate access to trailheads to the park that exist on the day before the date of the enactment of this title, in cases in which there are no practicable alternatives to such adjustments.

(2) LIMITATIONS ON LAND ACQUISITION.—

(A) IN GENERAL.—Except as otherwise provided in this subsection, the Secretary may acquire lands and interests therein under this subsection only by donation.

(B) ADDITIONAL RESTRICTIONS.—When acting under this subsection—

(i) the Secretary may add to the Shenandoah National Park only lands and interests therein that are contiguous with Federal lands administered by the Secretary as part of the park;

(ii) prior to accepting title to any lands or interests therein, the Secretary shall hold a public meeting in the county in which such lands and interests are located;

(iii) the Secretary shall not alter the primary means of access of any private landowner to the lands owned by such landowner; and

(iv) the Secretary shall not cause any property owned by a private individual, or any group of adjacent properties owned by private individuals, to be surrounded on all sides by land administered by the Secretary as part of the park.

(c) MITIGATION OF IMPACTS AT ACCESS POINTS.—The Secretary shall take all reasonable actions to mitigate the impacts associated with visitor use at trailheads around the perimeter of Shenandoah National Park. The Secretary shall enlist the cooperation of the State and local jurisdictions, as appropriate, in carrying out this subsection.

##### SEC. 202. REQUIREMENT OF TRANSFER OF COUN- TY ROAD CORRIDORS.

(a) STATEMENT OF PURPOSE.—It is the purpose of this section to permit the Commonwealth of Virginia to maintain and provide for safe public use of certain roads that the Commonwealth donated to the Federal Government at the time of the establishment of Shenandoah National Park.

(b) REQUIREMENT OF TRANSFER.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Interior shall transfer to the Commonwealth of Virginia, without consideration or reimbursement, all right, title, and interest of the United States in and to all county road corridors that were located within the Shenandoah National Park on the day before the date of the enactment of this Act and are removed from such Park by the boundary modification made by section 201.

(c) REVERSION.—Each transfer pursuant to this section shall be made subject to the condition that if, at any time, any county road corridor so transferred is no longer used as a public roadway, all right, title, and interest in the county road corridor shall revert to the United States.

(d) DEFINITIONS.—For purposes of this section:

(1) COUNTY ROAD CORRIDOR.—The term "county road corridor" means a corridor that is comprised of any Shenandoah county road together with an amount of land, which is contiguous with the road and which is selected by the Secretary of the Interior in consultation with the Governor of the Commonwealth of Virginia, such that the total width of the corridor is 50 feet.

(2) SHENANDOAH COUNTY ROAD.—The term "Shenandoah county road" means any portion of a road that is open to public vehicle usage and that, on the date of the enactment of this Act, constitutes part of—

- (A) Madison County Route 600;
- (B) Rockingham County Route 624;
- (C) Rockingham County Route 625;
- (D) Rockingham County Route 626;
- (E) Warren County Route 604;
- (F) Page County Route 759;
- (G) Page County Route 611;
- (H) Page County Route 682;
- (I) Page County Route 662;
- (J) Augusta County Route 611;
- (K) Augusta County Route 619;
- (L) Albemarle County Route 614;
- (M) Augusta County Route 661;
- (N) Rockingham County Route 663;
- (O) Rockingham County Route 659;
- (P) Page County Route 669;
- (Q) Rockingham County Route 661;
- (R) Criser Road (to Town of Front Royal);

or

(S) the government-owned parcel connecting Criser Road to the Warren County School Board parcel.

#### TITLE III—COLONIAL NATIONAL HISTORICAL PARK

##### SEC. 301. MODIFICATION OF BOUNDARY.

Notwithstanding the provisions of the Act of June 28, 1938 (52 Stat. 1208; 16 U.S.C. 81b, 81d), limiting the average width of the Colonial Parkway, the Secretary of the Interior (hereinafter in this title referred to as the "Secretary") is authorized to include within the Colonial National Historical Park, and to acquire by purchase, donation or exchange, lands and interests in lands (with or without improvements) within the areas depicted on the map dated August 1993, numbered 333/80031A, and entitled "Page Landing Addition to Colonial National Historical Park". Such map shall be on file and available for inspection in the offices of the National Park Service at Colonial National Historical Park and in Washington, District of Columbia.

**SEC. 302. TRANSFER OF SEWAGE DISPOSAL SYSTEM AND RIGHTS-OF-WAY.**

(a) IN GENERAL.—The Secretary is authorized to transfer, without reimbursement (except as provided in subsection (c)), to York County, Virginia, any portion of the existing sewage disposal system, including related improvements and structures, that is owned by the United States and located within the Colonial National Historical Park, together with such rights-of-way as the Secretary determines to be necessary to maintain and operate such system.

(b) REPAIR AND REHABILITATION OF SYSTEM.—The Secretary is authorized to enter into a cooperative agreement with York County, Virginia, under which the Secretary will pay a portion, not to exceed \$110,000, of the costs of repair and rehabilitation of the sewage disposal system referred to in subsection (a).

(c) EFFECT OF AGREEMENT ON CHARGES, IMPACT, AND ALTERATIONS.—In consideration for the rights-of-way granted under subsection (a), in recognition of the contribution authorized under subsection (b), and as a condition of the transfer authorized by subsection (a), the cooperative agreement under subsection (b) shall provide for a reduction in, or the elimination of, the amounts charged to the National Park Service for its sewage disposal with respect to the Colonial National Historical Park, shall provide for minimizing the impact of the park's sewage disposal system on the park and its resources, and shall provide that such system may not be enlarged or substantially altered without the concurrence of the director of the National Park Service.

**SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated \$110,000 to carry out section 302 and \$830,000, or the current appraised value of the lands and interests in lands referred to in section 301, whichever is lower, to carry out section 301.

**TITLE IV—SHENANDOAH VALLEY BATTLEFIELDS****SEC. 401. SHORT TITLE.**

This title may be cited as the "Shenandoah Valley Battlefields Partnership Act of 1995".

**SEC. 402. CONGRESSIONAL FINDINGS.**

The Congress finds that—

(1) there are situated in the Shenandoah Valley in the Commonwealth of Virginia the sites of several key Civil War battles;

(2) certain sites, battlefields, structures, and districts in the Shenandoah Valley are collectively of national significance in the history of the Civil War;

(3) in 1990, the Congress enacted legislation directing the Secretary of the Interior to prepare a comprehensive study of significant sites and structures associated with Civil War battles in the Shenandoah Valley;

(4) the study, which was completed in 1992, found that many of the sites within the Shenandoah Valley possess national significance and retain a high degree of historical integrity;

(5) the preservation of Civil War sites within a regional framework requires cooperation among local property owners and Federal, State, and local government entities; and

(6) partnerships between Federal, State, and local governments, the regional entities of such governments, and the private sector offer the most effective opportunities for the enhancement and management of the Civil War battlefields and related sites in the Shenandoah Valley.

**SEC. 403. STATEMENT OF PURPOSE.**

The purposes of this title are to—

(1) preserve, conserve, and interpret the legacy of the Civil War in the Shenandoah Valley;

(2) recognize and interpret important events and geographic locations representing key Civil War battles in the Shenandoah Valley, including those battlefields associated with the Thomas J. (Stonewall) Jackson campaign of 1862 and the decisive campaigns of 1864;

(3) recognize and interpret the effect of the Civil War on the civilian population of the Shenandoah Valley during the war and post-war reconstruction period; and

(4) create partnerships among Federal, State, and local governments, the regional entities of such governments, and the private sector to preserve, conserve, enhance, and interpret the nationally significant battlefields and related sites associated with the Civil War in the Shenandoah Valley.

**SEC. 404. DEFINITIONS.**

For purposes of this title:

(1) BATTLEFIELD.—The term "battlefield" means 1 of 15 battlefields in the Shenandoah Valley, as identified in the report.

(2) COMMISSION.—The term "Commission" means the Shenandoah Valley Battlefields Commission established by section 409.

(3) HISTORIC CORE.—The term "historic core" means the area that is so defined in the report, encompasses important components of a battle, and provides a strategic context and geographic setting for understanding the battle.

(4) HISTORIC PARK.—The term "historic park" means the Shenandoah Battlefields National Historic Park established under section 405(b).

(5) PLAN.—The term "plan" means the Shenandoah Valley Battlefields plan approved by the Secretary under section 406.

(6) REPORT.—The term "report" means the report prepared by the Secretary pursuant to the Civil War Sites Study Act of 1990 (Public Law 101-628; 16 U.S.C. 1a-5 note).

(7) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(8) SHENANDOAH VALLEY.—The term "Shenandoah Valley" means the Shenandoah Valley in the Commonwealth of Virginia.

**SEC. 405. SHENANDOAH VALLEY BATTLEFIELDS NATIONAL HISTORIC PARK.**

(a) AUTHORIZATION.—To carry out the purposes of this title, there is hereby authorized to be established the Shenandoah Valley Battlefields National Historic Park in the Commonwealth of Virginia. The Secretary shall establish in the Shenandoah Valley an administrative office and a location to provide information and interpretation with respect to the battlefields.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Shenandoah Valley Battlefields National Historic Park is hereby established upon publication by the Secretary in the Federal Register that—

(A) the Secretary has determined that the historic core of one or more of the battlefields is protected adequately to ensure the long-term preservation of the historic core in accordance with the plan; and

(B) the Secretary accepts administrative jurisdiction of such historic core.

(2) CONTENTS OF HISTORIC PARK.—The historic park shall consist of each historic core with respect to which the Secretary publishes a notice under paragraph (1).

(c) ADMINISTRATION.—The Secretary shall administer the historic park in accordance with this title and with provisions of law generally applicable to the National Park System, including the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2, 3, 4) and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461-467). The Secretary shall protect, manage, and administer the historic park for the purposes of preserving and interpreting its natural, cultural, and historic resources and of providing for public understanding and ap-

preciation of the battlefields, in such a manner as to perpetuate these qualities and values for future generations.

(d) LAND ACQUISITION.—If a historic core is included in the historic park—

(1) the Secretary may accept title from any private entity to any lands or interests therein within the historic core; and

(2) the Secretary may acquire from any willing seller lands and interests therein within the boundary of the historic core if the Secretary determines that such acquisition is essential to avoid significant changes to land use which the Secretary determines would have a significant adverse effect on the historic character of the historic core.

(e) LIVING HISTORY DEMONSTRATIONS AND BATTLEFIELD ENACTMENTS.—The Secretary shall allow, at any location in the historic park, any living history demonstration or battlefield reenactment that is the same as or substantially similar to a demonstration or reenactment that occurred at such location at any time during the 12-month period ending on the date of the enactment of this Act. The Secretary may allow, at any location in the historic park, any living history demonstration or battlefield reenactment that is not described in the preceding sentence but that the Secretary determines to be appropriate.

**SEC. 406. SHENANDOAH VALLEY BATTLEFIELDS PLAN.**

(a) IN GENERAL.—The historic park shall be managed by the Secretary pursuant to this title and the Shenandoah Valley Battlefields plan developed by the Commission and approved by the Secretary, as provided in this section.

(b) SPECIFIC PROVISIONS.—The plan shall include—

(1) provisions for the management, protection, and interpretation of the natural, cultural, and historical resources of the battlefields, consistent with the purposes of this title;

(2) identification of the historic cores that are appropriate for administration by the Secretary;

(3) a determination of the level of protection that is adequate to ensure the long-term preservation of each of the historic cores that is identified under paragraph (2) and measures recommended to accomplish such protection, which may include (but need not be limited to) conservation easements, local zoning, transfer of development rights, or ownership by an entity dedicated to preservation of the historic resources of the battlefields;

(4) recommendations to the Commonwealth of Virginia (and political subdivisions thereof) regarding the management, protection, and interpretation of the natural, cultural, and historical resources of the battlefields;

(5) the information described in section 12(b) of Public Law 91-383 (16 U.S.C. 1a-7(b)) (pertaining to the preparation of general management plans);

(6) identification of appropriate partnerships between the Secretary, Federal, State, and local governments and regional entities, and the private sector, in furtherance of the purposes of this title;

(7) proposed locations for visitor contact and major interpretive facilities;

(8) provisions for implementing a continuing program of interpretation and visitor education concerning the resources and values of the battlefields and historic core areas;

(9) provisions for a uniform valley-wide historical marker and wayside exhibit program, including a provision for marking, with the consent of the owner, historic structures and properties that are contained

within and contribute to the understanding of the battlefields; and

(10) recommendations for means of ensuring continued local involvement and participation in the management, protection, and development of the battlefields.

(c) PREPARATION OF DRAFT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date on which the Commission conducts its first meeting, the Commission shall submit to the Secretary a draft plan that meets the requirements of subsection (b).

(2) ADDITIONAL REQUIREMENTS.—Prior to submitting the draft plan to the Secretary, the Commission shall ensure that—

(A) the Commonwealth of Virginia, and any political subdivision thereof that would be affected by the plan, receives a copy of the draft plan;

(B) adequate notice of the availability of the draft plan is provided through publication in appropriate local newspapers in the area of the battlefields; and

(C) at least one public hearing in the vicinity of the battlefields in the upper Shenandoah Valley and one public hearing in the vicinity of the battlefields in the lower Shenandoah Valley is conducted by the Commission with respect to the draft plan.

(d) REVIEW OF PLAN BY THE SECRETARY.—The Secretary shall review the draft plan submitted under subsection (c) and, not later than 90 days after the date on which the draft plan is submitted, shall either—

(1) approve the draft plan as the plan; or  
(2) reject the draft plan and recommend to the Commission modifications that would make the draft plan acceptable.

#### SEC. 407. COOPERATIVE AGREEMENTS.

(a) IN GENERAL.—In furtherance of the purposes of this title, the Secretary may establish partnerships and enter into cooperative agreements concerning lands, and interests therein, within the battlefields with other Federal, State, or local agencies and private persons or organizations.

(b) HISTORIC MONUMENTS.—The Secretary may enter into an agreement with the owner of property that is located in the battlefields and on which an historic monument or tablet commemorating a relevant battle has been erected prior to the date of the enactment of this Act. The Secretary may make funds available for the maintenance, protection, and interpretation of the monument or tablet, as the case may be, pursuant to the agreement.

(c) AGREEMENTS AND PARTNERSHIPS NOT DEPENDENT ON INCLUSION IN HISTORIC PARK.—The Secretary may establish a partnership or enter into an agreement under this section with respect to a battlefield regardless of whether or not the historic core area of the battlefield is included in the historic park.

#### SEC. 408. TECHNICAL ASSISTANCE PROGRAM.

(a) TECHNICAL ASSISTANCE TO PROPERTY OWNERS.—The Secretary may provide technical assistance to owners of property located within the battlefields to provide for the preservation and interpretation of the natural, cultural, and historical resources within the battlefields.

(b) TECHNICAL ASSISTANCE TO GOVERNMENTAL ENTITIES.—The Secretary, after consultation with the Commission, may award grants and provide technical assistance to governmental entities to assist with the planning, development, and implementation of comprehensive plans, land use guidelines, regulations, ordinances, or other appropriate documents, that are consistent with and designed to protect the historic character of the battlefields.

(c) ASSISTANCE NOT DEPENDENT ON INCLUSION IN PARK.—The Secretary may provide assistance under this section with respect to

a battlefield or historic core area regardless of whether or not the battlefield or historic core area is included in the Park.

#### SEC. 409. SHENANDOAH VALLEY BATTLEFIELDS COMMISSION.

(a) ESTABLISHMENT.—There is hereby established the Shenandoah Valley Battlefields Commission.

(b) MEMBERSHIP.—The Commission shall be composed of 19 members, to be appointed by the Secretary as follows:

(1) 5 members representing local governments of communities in the vicinity of the battlefields, appointed after the Secretary considers recommendations made by appropriate local governing bodies.

(2) 10 members representing property owners within the battlefields (1 member within each unit of the battlefields).

(3) 1 member with demonstrated expertise in historic preservation.

(4) 1 member who is a recognized historian with expertise in Civil War history.

(5) 1 member from a list of recommendations made by the Governor of Virginia.

(6) 1 member representing the interests of the National Park Service.

(c) APPOINTMENTS.—Members shall be appointed for the life of the Commission.

(d) ELECTION OF OFFICERS.—The Commission shall elect one of its members as Chairperson and one as Vice Chairperson. The terms of office of the Chairperson and Vice Chairperson shall be 2 years. The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson.

(e) VACANCY.—Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made, except that the Secretary shall fill any vacancy within 30 days after the vacancy occurs.

(f) QUORUM.—A majority of the Commission shall constitute a quorum.

(g) MEETINGS.—The Commission shall meet at the call of the Chairperson or a majority of the members of the Commission, but not less than quarterly. Notice of Commission meetings and agendas for the meetings shall be published in local newspapers that have a distribution throughout the Shenandoah Valley. Commission meetings shall be held at various locations throughout the Shenandoah Valley and in a manner that ensures adequate public participation.

(h) STAFF OF THE COMMISSION.—The Commission shall have the power to appoint and fix the compensation of such staff as may be necessary to carry out its duties.

(i) ADMINISTRATIVE SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

(j) FEDERAL AGENCIES.—Upon request of the Commission, the head of any Federal agency may detail to the Commission, on a reimbursable basis, personnel of the agency to assist the Commission in carrying out its duties.

(k) SUBPOENAS.—The Commission may not issue subpoenas or exercise any subpoena authority.

(l) EXPENSES.—Members of the Commission shall serve without compensation, but the Secretary may reimburse members for expenses reasonably incurred in carrying out the responsibilities of the Commission under this title.

(m) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(n) GIFTS.—The Commission may, for purposes of carrying out the duties of the Commission, seek, accept, and dispose of gifts, bequests, or donations of money, personal

property, or services, received from any source.

(o) TERMINATION.—The Commission shall terminate upon the expiration of the 45-day period beginning on the date on which the Secretary approves the plan under section 406(d).

#### SEC. 410. DUTIES OF THE COMMISSION.

The Commission shall—

(1) develop the plan and draft plan referred to in section 406, in consultation with the Secretary;

(2) advise the Secretary with respect to the battlefields;

(3) assist the Commonwealth of Virginia, and any political subdivision thereof, in the management, protection, and interpretation of the natural, cultural, and historical resources within the battlefields, except that the Commission shall in no way infringe upon the authorities and policies of the Commonwealth of Virginia or any political subdivision thereof; and

(4) take appropriate action to encourage protection of the natural, cultural, and historic resources within the battlefields by landowners, local governments, organizations, and businesses.

#### SEC. 411. TERMINATION OF INCLUSION IN HISTORIC PARK.

(a) IN GENERAL.—A historic core that becomes part of the historic park shall continue to be included in the historic park unless—

(1) the Secretary determines that the protection of the historic core no longer meets the requirements of section 405(b)(1)(A); and

(2) after making a determination referred to in paragraph (1), the Secretary submits to the Congress notification that the historic core should cease to be included in the historic park.

(b) PUBLIC HEARING.—Before the Secretary makes a determination referred to in subsection (a)(1) regarding a historic core, the Secretary or a designee shall hold a public hearing within the vicinity of the historic core.

(c) TIME OF TERMINATION OF INCLUSION.—

(1) IN GENERAL.—A historic core shall cease to be included in the historic park upon the expiration of 90 legislative days after the Secretary submits to the Congress the notification referred to in subsection (a)(2) regarding the historic core.

(2) LEGISLATIVE DAY.—For purposes of this subsection, the term "legislative day" means any calendar day on which both Houses of the Congress are in session.

#### SEC. 412. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated not more than \$5,000,000 for development of the historic park, not more than \$2,000,000 for land acquisition pursuant to this title, not more than \$500,000 to carry out the purposes of sections 407 and 408, and not more than \$250,000 for any fiscal year for the operation of the Commission.

#### TITLE V—CUMBERLAND GAP NATIONAL HISTORICAL PARK

##### SEC. 501. ADDITION OF LANDS.

(a) AUTHORITY.—Notwithstanding the Act of June 11, 1940 (16 U.S.C. 261 et seq.), the Secretary of the Interior is authorized to acquire by donation, purchase with donated or appropriated funds, or exchange not to exceed 10 acres of land or interests in land, which shall consist of those necessary lands for the establishment of trailheads to be located at White Rocks and Chadwell Gap.

(b) ADMINISTRATION.—Lands and interests in lands acquired pursuant to subsection (a) shall be added to and administered as part of Cumberland Gap National Historical Park.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Utah [Mr. HANSEN] will be recognized for 20 minutes and the gentleman from New Mexico [Mr. RICHARDSON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HANSEN asked and was given permission to revise and extend his remarks.)

Mr. HANSEN. Mr. Speaker, I rise in strong support of H.R. 1091, legislation to improve the National Park System in the Commonwealth of Virginia.

Mr. Speaker, this is a comprehensive bipartisan bill which makes improvements to various park areas in the Commonwealth of Virginia. First, the bill resolves boundary questions at two parks, Shenandoah National Park and Richmond National Battlefield, where the park boundary now includes hundreds of thousands of acres of non-Federal, non-park-quality lands. These unmanageable boundaries have been a source of significant concern to private property owners and local governments alike. This bill shrink-wraps boundaries at those parks to generally conform to lands currently owned by the Federal Government or lands anticipated to be added to the parks in the near future.

Under the title pertaining to Richmond National Battlefield, the bill provides for a substantial expansion of the existing 770-acre park by authorizing the NPS to accept a donation totalling 907 acres with important Civil War features. The bill also directs the Secretary to develop a proposal to ensure protection of the New Market Heights Battlefield, a significant site where 14 African-Americans earned the Congressional Medal of Honor.

By establishing reasonable boundaries for both Shenandoah National Park and Richmond Battlefield, these areas will be placed on equal footing with the other 360-plus areas administered by the NPS which have reasonable fixed boundaries. After enactment of this legislation, future boundary adjustments at these parks will be made by Congress, rather than the park superintendent.

The bill also transfers 19 road corridors at Shenandoah National Park, totaling 16 acres out of the 196,500-acre park, from the NPS back to the Commonwealth for their administration and management. Along with nearly all the land currently within the park, these roads were donated by the Commonwealth to the Federal Government at the time of park establishment in the 1930's. However, recently, the NPS has advised the Commonwealth that NPS has no authority to permit the Commonwealth to continue to maintain these roads. The Commonwealth is now seeking to have these roads returned to their ownership so that they can manage them and continue such uses as transporting children to schools.

Title III of the bill expands the boundary of the existing Colonial Na-

tional Parkway by 15 acres at its narrowest point and provides for the county to take over an existing utility line to private residents within the park. This legislation is nearly identical to a bill which passed the House last session.

Title IV of the bill authorizes a new park area in the Shenandoah Valley to recognize a number of important Civil War battles which occurred there. However, the bill provides that the park will not be established unless the State and local governments, and the private sector, make a significant contribution to the preservation of these significant Civil War sites. Only if the Secretary finds that these resources are adequately protected by these other entities is he permitted to establish the park. Further, if these partners retreat from their commitments to preserve these sites, the bill provides for the deauthorization of the park.

The overall cost of this title has been reduced from about \$25 million—as introduced—to \$7 million, with the balance of the cost to be picked up by the other partners in the overall effort to preserve these sites. This is the type of partnership effort which will be required in any new park areas.

A new title V, as requested by Mr. BOUCHER, authorizes the acquisition of essential land at Cumberland Gap National Historical Park to ensure continued trail access to the park.

It is important to point out what this bill does in balance. We are deleting over 585,000 acres from the authorized boundaries of two parks and establishing a new park where the Federal Government will never own or administer more than a few thousand acres.

It is a good bill with bipartisan support from the six Members from Virginia who represent all of the areas within this bill. The measure is also supported by State and local governments, private landowners and such groups as the National Trust for Historic Preservation and the Association for the Preservation of Civil War Sites.

I commend this bill to my colleagues and urge them to support it.

Mr. Speaker, I reserve the balance of my time.

Mr. RICHARDSON. Mr. Speaker, I yield myself such time as I may consume.

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, two very distinguished Members and friends of mine are sponsoring this bill, the gentlemen from Virginia [Mr. BLILEY and Mr. WOLF]. This is important as we deliberate any bill. I have to express some concerns with the bill, the content, and basically the question I am asking is, what is the rush with the Richmond and Shenandoah park proposals? What we have is boundary studies underway. This legislation basically prejudices the results of those studies.

There is not any threat to any landowner. These parks were assembled by

donation, not Federal condemnation. I have no problem with the colonial park legislation. That was worked out in the last Congress and passed by the House in its current form.

The same cannot be said for the other proposal before us today. This was considered, the Shenandoah, this was considered in the past by the House on a bipartisan basis last year as a national heritage area and not as a national park, but I know the gentleman from Virginia [Mr. WOLF] and many of his colleagues have had a number of events recently at the park, and I respect that.

Mr. Speaker, I have listened to a lot of the concerns expressed by some of my colleagues about the park system. After this bill, we are going to take up H.R. 260, which basically is a parks closure bill, yet we are adding some national park units by the Congress, with some reservations from the national park system, so we are going a little bit in different directions here.

Mr. Speaker, I will support this bill. I will vote for it.

Mr. GOODLATTE. Mr. Speaker, will the gentleman yield?

Mr. RICHARDSON. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I just want to make the point with regard to the Shenandoah National Park and Richmond Battlefield that we are in no way saying additional lands should not be added. Those studies should and can go forward. All we are saying is the same criteria which provides for taking lands out of the park should apply to putting land into the park; that is, congressional action. After this is completed, if there are proposals to add land, they can bring that before the Congress and have it considered. Now local governments and local private owners in the area have no say on land going into the park.

Mr. RICHARDSON. Mr. Speaker, I reserve the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Virginia [Mr. BLILEY] the author of this bill.

Mr. BLILEY. Mr. Speaker, I want to thank the gentleman for bringing this bill, and I thank the gentleman from Alaska, [Mr. YOUNG] chairman of the full committee, and my good friend, the gentleman from New Mexico, BILL RICHARDSON. I know he had some concerns, he has expressed them to me in the past, but I appreciate the gentleman's willingness, in spite of his concerns, to support this legislation.

I also want to thank my colleague from Virginia's Third District, the gentleman from Newport News, [Mr. SCOTT] for his support.

Mr. Speaker, the gentleman from Utah [Mr. HANSEN] has thoroughly explained the bill. I want to just add a few things. The reason for this bill that I introduced, H.R. 1091, was a response to constituents' worries about the

boundaries of Richmond National Battlefield Park and the Shenandoah National Park. Each of these parks is peculiar in that it has a vast authorized boundary with a much smaller amount of land actually owned and managed by the Park Service.

Unlike normal parks, these two parks can expand whenever they want, without congressional approval or a fair representation of local communities' concerns. The Richmond National Battlefield Park comprises 10 sites around Richmond totaling about 760 acres, to which this bill would add 900 more at Malvern Hill, but its enormous 1936-authorized boundary envelopes 250 square miles of the metropolitan area. What the constituents are concerned about is that somehow a designation will be put on their land against their wishes that will downzone the value of their land. That is a very important concern to anyone who owns land.

Having served in local government and having participated in a couple of downzonings, it is a very, very bad policy to downzone a man's land. Anytime that Members want to expand either of these parks, all the Park Service has to do is to come forward with a request that then can be considered, but what will happen then is that it would give the neighbors a chance to comment, and it will give the local governments a chance to comment, as well as the State government. Then Congress will determine whether we have the resources to absorb whatever this gift might be.

Right now, Richmond National Battlefield Park has a \$2 million shortfall in its operating funds for 1996, and the Shenandoah National Battlefield Park has a shortfall of \$5.5 million. So to me it makes eminent sense that before we go expanding either of these parks, let us make sure we have enough resources to take care of the expansion, pure and simple.

I am also pleased that the legislation of the gentleman from Virginia [Mr. WOLF], that he was successful in passing last session in the other body is included, and this legislation conserves for future generations 10 Civil War battlefields in the Shenandoah Valley. But most importantly about this act is this was developed in close consultation with the communities up and down the valley.

Mr. Speaker, I thank my good friend, the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Speaker, I yield 5 minutes to my good friend, the gentleman from Virginia [Mr. WOLF].

Mr. WOLF. Mr. Speaker, I rise in strong support of H.R. 1091, a bill which would improve the National Park System in the Commonwealth of Virginia. I am particularly interested and supportive of title IV of the bill which incorporates legislation I introduced which would create the Shenandoah Valley Battlefields National Historic Park.

Mr. Speaker, this morning I had the pleasure and honor of participating in a dedication ceremony for the preservation of the 3d Battle of Winchester. The 3d Battle of Winchester, or Opequon, was the largest and most desperately contested battle of the Civil War in the Shenandoah Valley of Virginia, resulting in more than 9,000 casualties. This battle, where over 15,000 Confederate troops led by Lt. Gen. Jubal Early and about 39,000 Union troops led by Maj. Gen. Philip Sheridan clashed in the otherwise quiet countryside, marked the rise of Sheridan and the decline of Confederate power.

Perhaps it is coincidence, providence, fortuity, serendipity or luck that H.R. 1091 is being considered on the floor of the House of Representatives the same day the 3d Battle of Winchester is saved by development. The hallowed Civil War site of Opequon was saved by a partnership between the Federal Government, State and local government, businesses persons, and private preservationists. This has been the approach taken in the valley for years and is the approach embodied in title IV of this legislation.

Mr. Speaker, in response to a congressional directive (Public Law 101-628), the National Park Service [NPS] undertook the task of studying the Civil War sites in the Shenandoah Valley. The NPS identified significant Civil War sites and determined their condition, established their relative importance, assessed short- and long-term threats to their integrity, and provided general alternatives for their preservation.

The Park Service discovered that 15 of the 326 documented armed conflicts in the valley between 1861 and 1865 were of particularly high significance. Because many portions of the valley retain a high degree of historic, rural and scenic integrity, the NPS concluded that they should be preserved. The two major Valley campaigns—the Thomas J. “Stonewall” Jackson Valley campaign of 1862 and the decisive Philip Sheridan campaign of 1864—are the major Civil War battlefields not yet preserved. This Congress has a historic opportunity to capitalize on the overwhelming momentum of support for this legislation.

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Unfortunately, the NPS did not recommend a specific preservation strategy. Therefore, some local valley residents accepted a challenge by Park Service staff to devise a plan to preserve these historic lands. Their efforts were remarkable. Their dedication and perseverance unflappable. This was truly a grassroots effort.

Local residents began to meet and discuss how these hallowed lands could be preserved for future generations to learn and enjoy. They are eager to share the stories of the valley—not just battle maneuvers and formations, but the stories of people dislocated by a brutal war. They want to share the

story of how the city of Winchester, VA, changed hands between North and South at least 73 times, and how that turmoil affected local residents. Even today, one can sense the effect the war had on the Valley.

After countless meetings and telephone conversations, in which the National Park Service was consulted, a consensus began to form around a partnership concept where Federal, State, and local governments, private landowners and preservation groups could work together to preserve these lands. After a draft bill was ready, we held discussion meetings in the Shenandoah Valley on the proposed legislation. These meetings provided an opportunity for thorough review and comment by Valley residents and officials on this legislation. These meetings, attended by local government officials, landowners, business people, and preservationists, served as a vehicle to refine, modify, and improve the legislation with the input and advice of citizens from throughout the Shenandoah Valley.

What I found during those public meetings was unprecedented unanimous support for this legislation. I served at the Department of the Interior in the 1970's under Secretary Morton, and I can't recall ever gaining such widespread support for a park bill. The legislation before this subcommittee has been endorsed by every local government where core battlefield properties are located. Moreover, we have a broad, bipartisan coalition of interests united to preserve these treasures of history. The list that follows my statement, compiled over a year and a half ago, comprises those persons and entities who endorsed this partnership approach to preservation. There have been many others since this list was put together.

This subcommittee should know that the work of valley residents did not end with the drafting and introduction of this legislation. The Cedar Creek Battlefield Foundation is a private nonprofit corporation organized to save the historic Cedar Creek Civil War battlefield site. The Frederick County Board of Supervisors and Winchester City Council have appointed a Battlefield Task Force whose responsibility it is to prepare a strategic plan for the protection and use of the battlefield sites. The task force's interim action plan designates the most critical and significant sites and recommends immediate actions to be taken. Frederick County and the city of Winchester have also successfully convinced a trustee of a battlefield property at Kernstown to postpone a planned auction. Moreover, they have purchased a \$500,000 2-year option to buy land. Within the last couple of weeks, the Association for the Preservation of Civil War Sites [APCWS] exercised an option to purchase 222 acres, known as Caleb Heights, of the threatened third battle of Winchester using funds derived from the sale of Civil War commemorative

coins. APCWS is committed to raising the remaining \$2 billion needed to pay off the remaining cost of the property. Not only have the local governments and private groups dedicated time and personnel to planning the preservation of the battlefields, they have committed scarce resources to protect these lands. This is an overwhelming demonstration of their commitment to the successful implementation of a preservation plan.

Local governments alone can't preserve these valuable resources; they need a partnership with the Federal Government to preserve these lands. Even the most well intentioned friends of battlefield preservation will find it difficult to keep the threats of residential construction, commercial development, highway construction, and industrial development at bay. Interstates 66 and 81 bring increasing pressure on this rural landscape and threaten to consume more battlefield land. As the NPS study indicates, some critical properties have already been lost.

Since the Civil War, most of the Shenandoah Valley has remained in the same type of agricultural use, but, as the Park Service has reported, increasing development threatens key battlefield sites. Title IV of H.R. 1091 would protect many of these through designation as a unit of the National Park System, while encouraging partnerships with local governments and private landowners to protect the natural cultural and historical resources on adjacent lands within the historic core areas of the key battlefield sites. Partnership is the key ingredient in this bill. It was borne of cooperation and will succeed by bringing all interested parties into the planning, development, and implementation of this novel preservation scheme.

This bill capitalizes on the cooperation and hard work which have created a sturdy foundation upon which to build this park. Much of the groundwork has been laid by residents of the valley and specialists knowledgeable about land use planning, environmental impact studies, and so forth. I encourage this subcommittee to utilize the experience, dedication, and knowledge base that exists in the valley in preparing a plan for park management, visitor facilities, educational programs, and historical markers and exhibits throughout the Shenandoah Valley. The NPS should work hand-in-glove with the local community.

The second important component of the legislation is that it provides incentives for local governments to preserve historic land by including battlefield protection in regional planning. As the Park Service study observed, local governments are under increasing pressure to allow residential construction, commercial development, highway construction, and industrial development. Grants and technical assistance provide the necessary incentive

that local governments need to ward off development pressures.

The third key ingredient which I would like to stress in the grants to private battlefield landowners. Because of the tight fiscal constraints of federal discretionary spending, we can't expect the National Park Service to purchase thousands and thousands of acres of land. This is much too expensive. We can, however, provide incentives to local landowners to assist in the preservation of historic lands. In exchange for these economic incentives, private landowners could provide the Park Service needed scenic or preservation easements or could contractually agree to maintain open-space lands with historic viewsheds. This will ensure that a comprehensive overall interpretation of the resource is attained.

Mr. Speaker, the time is upon us for Federal action to preserve the historic Civil War battlefields of the Shenandoah Valley, in partnership with State and local governments, local landowners, and preservation groups. This innovative concept will be the least costly and disruptive strategy to protect the lands forever.

Mr. Speaker, one point of interest that people should know, that there is a Colonel McCormick in my congressional district, 94 years old, lives in Front Royal, just retired from practicing law. His father and his grandfather and his uncle were in Pickett's Charge at Gettysburg. The interest in the Shenandoah Valley for this is very important.

In closing, Mr. Speaker, the time is upon us for Federal action to preserve the historic Civil War battlefields of the valley in partnership with State and local governments and local landowners and preservation groups.

I want to acknowledge before I close and thank the gentleman from Utah [Mr. HANSEN] and his staff. Without the help of the gentleman from Utah [Mr. HANSEN], this legislation would not be passing. He nurtured it through, worked with us and he did everything he possibly could.

I want to say on the record, the gentleman and I were freshmen together in that class of 1980 when we came, I think there are only 16 of us left, but I want to publicly say I will be eternally grateful for his help and his entire staff. He helped us work this thing through.

I also want to thank the gentleman from Virginia [Mr. GOODLATTE] for his efforts. It was a good team effort. Our districts are joined together. We were lockstepped together at the beginning of this. I thank him.

I also want to thank the gentleman from Virginia [Mr. BLILEY], the gentleman from Virginia [Mr. SCOTT], and the other members of the Virginia delegation, and on the Senate side, Senators ROBB and WARNER. We were together almost like Stonewall Jackson. There stood the Virginia like a stone wall, we were together and united on this.

And finally Mr. Speaker, I would like to add a very special thank you to Will Moschella, one of my legislative assistants, who was instrumental in helping to bring this bill forward.

Tomorrow it is my hope and expectation, and I might say I am going to say a little prayer, that this legislation will pass without any controversy and will then be passed by the other body.

Mr. Speaker, I include the following articles and extraneous material for the RECORD, which describe the efforts to create a Civil War National Battlefield Park in the Shenandoah Valley of Virginia:

#### SHENANDOAH VALLEY PROPOSAL ENDORSEMENTS BY COUNTY

##### FREDERICK

The Glass-Glen Burnie Foundation, Landowner/Individual.

Town of Middletown, Government.

Town of Stephens City, Government.

Winchester-Frederick Chamber of Commerce, Business.

Winchester-Frederick County Econ. Deve. Comm., Business.

##### SHENANDOAH

Association for the Preservation of Civil War Sites, Landowner/Individual

C.M. "Mike" Hunt, Landowner/Individual.

Sarah P. Faulconer, Landowner/Individual.

James H. Faulconer, Landowner/Individual.

Garland C. Hudgins, Landowner/Individual.

Breckenridge Chapter, Daughters of the Confederacy, Historic Group.

Town of New Market, Government.

Clinton M. Truesdale, Individual.

The Strasburg Guards, Sons of Confederate Veterans, Historic Group.

Town of Woodstock, Government.

David E. Smith, Landowner/Individual.

William Craun, Landowner/Individual.

William F. Bausserman, Landowner/Individual.

William J. Bausserman, Landowner/Individual.

Harold Walter, Landowner/Individual.

Keith Rocco, Landowner/Individual.

J.W. Troxell, Landowner/Individual.

Ralph Stickley, Landowner/Individual.

Tom's Brook Farm/Rodney A. Bankson,

CDR, USN-Ret., Landowner/Individual.

10th Virginia Volunteer Infantry, Historic Group.

Cross Keys Antiques/John B. Woodyard, Landowner/Individual.

Friends of the North Fork of the Shenandoah River, Civic Group.

Hupp's Hill Battlefield Park and Study Center, Historic Group/Business.

New Market Area Chamber of Commerce, Business.

New Market Battlefield Historic Park, Historic Group.

Patricia K. Marie, Landowner/Individual.

Reformation Lutheran Church, Civic Group.

Robert D. Plu, Landowner/Individual.

Shenandoah Caverns, Business.

Shenandoah Valley Civil War Roundtable, Historic Group.

Shenandoah Valley Quality Inn/Lois Moomaw, Gen. Man., Business.

Strasburg Rotary Club, Civic Group.

Town of Mount Jackson, Government.

Town of Tom's Brook, Government.

VMI Museum Programs, Historic Group.

Women's Memorial Society, Civic Group.

Woodstock Museum, Historic Group.

##### ROCKINGHAM

Arthur J. Hamilton, Landowner/Individual.

Association for the Preservation of Civil War Sites, Landowner/Individual.

Barbara Paulson, Landowner/Individual.  
 Cherry Grove Farm/George K. Harnsberger, Landowner/Individual.  
 F & M Bank-Massanutten, Business.  
 Graham C. Lilly/Professor of Law UVA, Landowner/Individual.  
 Harrisonburg-Rockingham Historical Society, Historic Group.  
 Harry L. Chandler, Landowner/Individual.  
 Lawrence D. Bowers/Wilson & Bowers, Landowner/Individual.  
 Martha B. Caldwell/Professor of Art History JMU, Landowner/Individual.  
 Mr. & Mrs. Brownie A. Cummins, Landowner/Individual.  
 Mr. & Mrs. Thomas F. Tutwiller, Landowner/Individual.  
 Peter Svenson, Landowner/Individual.  
 The Inn at Keezletown Road Bed & Breakfast, Business.  
 The Society of Port Republic Preservationists, Historic Group.  
 The Town of Dayton, Virginia, Government.  
 James J. Geary, Former Dir. New Market Battle, Landowner/Individual.  
 Ronald E. Carrier, President, James Madison Univ., Educational.  
 Barbara Moore, Landowner/Individual.  
 Daniel M. Downey, Ph.D., Landowner/Individual.  
 Tom's Brook Farm/Rodney A. Bankson, CDR, USN-Ret., Landowner/Individual.  
 W. Allen & Phoebe Sherwood, Landowner/Individual.  
 W.C. Bedall, Jr., Landowner/Individual.  
 Wilmer Diehl Family, Landowner/Individual.

## HIGHLAND

Association for the Preservation of Civil War Sites, Landowner/Individual.  
 The Board of Supervisors for Highland County, Government.  
 The Recorder, Business/Press.  
 Virginia's Western Highlands Travel Council, Business.

## WINCHESTER

City of Winchester, Government.  
 Elizabeth G. Helm/Former Mayor, Government.  
 Downtown Development Board, Government.  
 The Common Council of the City of Winchester, Government.

## AUGUSTA

Winston Wine, Landowner/Individual.

## PAGE

Luray Caverns Corporation, Business.

## PORT REPUBLIC

Mark & Susan Hardy, Landowner/Individual.

## REGIONAL

The Civil War Trust, Historic Group.

## ALEXANDRIA

Brian C. Pohanka, Landowner.

## VALLEY WIDE

Shenandoah Valley Travel Association, Business.

[From the Washington Post, June 13, 1993]

## UNSUNG SOLDIERS

THE CASE FOR SAVING SHENANDOAH'S CIVIL WAR BATTLEFIELDS

(By James M. McPherson)

Many Americans recognize the significance of such Civil War battles and campaigns as Antietam, Gettysburg, Chickamauga, Chattanooga and Petersburg. All of these battlefields are now national parks that attract millions of visitors each year.

More than 125 years after the guns went silent, tourists can walk the ground near Sharpsburg, Md., where more Americans died

in one day—Sept. 17, 1862—than any other day in our history. They can scan the fields at Gettysburg, where 13,000 Confederate soldiers launched an assault of futile courage on July 3, 1863. And they can see where Grant's legions put their siege lines at Vicksburg, forcing that city's defenders to eat mules and rats before surrendering.

No one can truly comprehend the tragic but triumphant trauma of the American Civil War without visiting such battlefields. But there are two large gaps in our commemoration of the engagements of the Civil War—Stonewall Jackson's Shenandoah Valley campaign in 1862 and Phil Sheridan's Shenandoah Valley campaign in 1864. No national park—or state or local park—marks any of the eight battles and numerous important skirmishes involved in these campaigns, even though they were as crucial in shaping the course and outcome of the war as were Antietam, Vicksburg and Chattanooga—yes, even as important as Gettysburg itself. The two Shenandoah Valley campaigns produced two of the four major turning points of the war (the other two were Antietam and Gettysburg-Vicksburg).

Jackson's string of victories in the valley from May 8, 1862, to June 9, 1862, reversed a tide of Northern triumphs during the preceding three months that had threatened to sink the Confederacy.

The Union had captured Roanoke Island and New Bern in North Carolina, forts Henry and Donelson, Nashville and New Orleans and the lower Mississippi valley. Union victories in the bloody battles of Shiloh and Pea Ridge and the advance of the largest Union army to within six miles of Richmond in the spring of 1862 had caused panic and depression in the South.

In mid-May 1862, the Confederate government was prepared to evacuate Richmond. Then came Jackson's extraordinary victories in the Shenandoah Valley—at McDowell on May 8, Front Royal on May 23, Winchester on May 25 and Cross Keys and Port Republic on June 8 and 9.

These victories proved to be a strategic shot in the arm for the Confederacy. They changed the momentum of the war and launched a year of Southern victories in the Virginia theater that culminated in the Confederacy's high tide at Gettysburg.

The tide receded, but by the late summer of 1864 Confederate prospects again seemed promising. The two largest Northern military efforts of the war, to capture Richmond and Atlanta, had bogged down in apparent stalemate after 100,000 Union casualties. The shock of death and failure staggered the Union, threatened Lincoln's reelection and spawned a peace movement in the North.

In July a small Confederate army commanded by Jubal Early cleared Union forces out of the Shenandoah Valley and marched all the way to the outskirts of Washington before pulling back. During this crisis, Gen. Ulysses S. Grant sent one of his favorite subordinates, Philip Sheridan, to the valley to take command of a composite "Army of the Shenandoah" and crush Early. In three battles—among the most one-sided Union victories of the war—Sheridan did precisely that: at Third Winchester (or Opequon Creek) on Sept. 19, Fisher's Hill on Sept. 22 and Cedar Creek on Oct. 19. These battles ensured Lincoln's reelection on a platform of unconditional victory and marked the final turn of the tide toward Appomattox.

The absence of a national park for any of these Shenandoah Valley battlefields has always been a mystery to me. But there is now a chance to remedy this omission—maybe the last chance.

The expansion of development along I-66 to its intersection with I-81 a few miles from five of the Shenandoah Valley battlefield

sites threatens these sites with extinction. That fate could be avoided by the creation of a Shenandoah Valley national battlefields park.

Many residents of this area recognize that preservation of these sites would produce more than the obvious historical and cultural benefits. It would also yield the economic benefits of tourism at a much lower cost than residential development, with its inevitable byproducts of congestion, noise and pollution.

Most of the battlefield sites in the valley still possess a high degree of historical integrity, that is, the topography—the fields and forests, the hills and valleys and viewsheds—has changed little since the Civil War. At surprisingly low cost to taxpayers, much of the battlefield acreage could be saved for posterity, with sites linked by already existing state and local roads. Several parcels of battlefield lands already are owned by private preservation groups that are ready to turn them over to the National Park Service.

Congress should authorize a Shenandoah Valley National Battlefield Park as envisioned in legislation introduced by Rep. Frank Wolf (R-Va.) in the House and Sens. John Warner (R) and Chuck Robb (D) of Virginia and Sen. James Jeffords (R) of Vermont.

Creation of such a park would make it possible for millions of Americans to visit these battlefields, where thousands gave their last full measure of devotion just as surely as did those who died at Gettysburg.

Mr. RICHARDSON. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SCOTT] who strenuously was urging that we pass this bill and who has worked very hard on it equally, especially the component of black Civil War heroes.

Mr. SCOTT. Mr. Speaker, I rise in support of H.R. 1091 and would like to speak to the impact of the bill on the Richmond area. This legislation is important because it relieves a burden from landowners of having to worry about the possibility of condemnation of their land by the Richmond National Battlefield Park. For too long, the park has had the ability to use this process to acquire land without the permission of landowners. I applaud my colleague from the Richmond area, Mr. BLILEY, for realizing our constituents' concerns and for removing the threat of condemnation in this legislation. The fact is, Mr. Speaker, that this power has never been used nor is there any anticipation that it would be used in the foreseeable future. This bill, therefore, removes the cloud of uncertainty and concern of area residents near the battlefield.

While this bill reduces the large area of potential land acquisition, I agree with my other colleagues from Virginia that there is nothing in this legislation that will prevent specific land acquisition in the future through legislative authorizations for either purchase or acceptance of donated lands.

Additionally, Mr. Speaker, this bill addresses an important battle site. Nearly 131 years ago, on September 29, 1864, near Richmond, VA, in an area referred to as New Market Heights, U.S. Colored Troops would assault a Confederate position, suffer extreme losses

and have 14 of their ranks receive Medals of Honor for bravery in action.

Mr. Speaker, in the entire balance of the Civil War, only 2 more Army medals were awarded to African-Americans and no other battle in the entire Civil War generated 14 Medal of Honor designees.

Until this past year, however, the story of these 14 African-American soldiers was scarcely remembered or retold. A Richmond Times-Dispatch article dated May 21 of this year calls this battlefield one of the Nation's most forgotten historical sites.

But with the assistance of my colleague from Richmond we are now headed in the right direction by honoring these 14 men, bringing just acknowledgment and credit to a previously forgotten event. I am grateful for the help of the gentleman from Virginia [Mr. BLILEY] and support in crafting legislation that ensures that the battle of New Market Heights will be recognized for its historic significance.

Mr. Speaker, this bill responds to the concerns of landowners in Henrico County, it focuses the resources of the National Park Service on truly historically significant sites, and gives proper recognition to the valiant African-American soldiers in New Market Heights.

I therefore join my colleagues from Virginia, both in the Richmond area and the Shenandoah area, in support of this bill. I thank the gentleman from Utah and the gentleman from New Mexico for their cooperation.

Mr. HANSEN. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. GOODLATTE].

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from Utah for yielding me the time. I especially thank him and his outstanding staff for their efforts in moving this legislation through their committee, and the gentleman from Alaska [Mr. YOUNG] for moving it through the full committee.

Mr. Speaker, we have been working on this legislation now in various forms for several years, certainly since I came to the Congress in 1993, and I am just delighted that it has bipartisan support from other members of the delegation from Virginia and from the gentleman from New Mexico.

This legislation is vitally important to my congressional district because 3 of the 5 aspects of the bill affect my district. The Shenandoah National Battlefield legislation was authored by the gentleman from Virginia [Mr. WOLF], who has done an outstanding job in creating a new piece of legislation and a new type of national park that I think will serve as a model for other national parks in the future; and the gentleman from Virginia [Mr. BLILEY] authored other aspects of this legislation dealing with the Shenandoah National Park.

First the Shenandoah National Battlefield parks, new legislation, as the gentleman from Virginia [Mr. WOLF] indicated, to protect 12 battlefield sites up and down the Shenandoah Valley, the last major part of our country where we had important Civil War battles fought, that are at this point receiving no protection and are not recognized as a national park. These 12 are the most important of several hundred different sites around the area.

Three of them, the Cross Keys, Port Republic, and McDowell Battlefield sites are in my district, in Rockingham County and Highland County, respectively. This legislation, unlike the creation of battlefields in the past where the Government has bought up in many instances thousands and thousands of acres of land, often at enormous cost, this creates this park in a very different way. This land will largely remain in the hands of private owners who will continue to farm it, as it is primarily an agricultural area today, as it was during the Civil War 130 years ago.

We have the opportunity here to create a protection for battlefields, but also at the same time have an opportunity for local governments to have the maximum amount of input about these lands and to protect the rights of private property owners. There will be no condemnation of lands allowed in this park, and we will have this as an opportunity to both utilize the land for agriculture and to promote tourism and the preservation of these important sites, all at the same time.

In addition, the legislation offered by the gentleman from Virginia [Mr. BLILEY] dealing with the Shenandoah National Park is vitally important as well. Those of you who are familiar with the creation of this park in the 1920's and 1930's know that there was a great deal of hardship and animosity on the part of many people who lived in that park at that time and were forcibly removed from the park. There is documentation of individuals whose homes were burned while they had been forcibly removed from the home, their furniture removed, put out on the ground outside, and they stayed there and watched while their home was burned to the ground.

There is a long history of difficult relations between the national park, which is a precious resource that every one of us values, but at the same time respect for the rights of those people who live around the park and are concerned about the manner in which it was created and about the manner in which it could be expanded, because of the authorized boundary of some 521,000 acres which is more than 2½ times the size of the park today.

That would mean that, for example, the city of Waynesboro in my congressional district, a city of more than 20,000 people, half of that city is in the authorized area of the national park. It simply does not make any sense.

We are not in any way shrinking the size of the park. We are not taking any land out of the park except for the specific 16 acres designated by the gentleman from Virginia [Mr. BLILEY], which will be used to improve roads going through the park, to widen the roads, straighten the roads for safety purposes because they are used by the public, used by school buses traveling through the area. That will be removed, but other than that, there is no change in the boundary of the park.

This simply says that in the future if people want to add to the Shenandoah National Park, they are going to have to go through the process of getting congressional support for legislation that will add the land. No longer can they do so simply as an administrative decision.

This is something that I think is vitally important for the protection of the counties that surround the park, that are worried about losing the tax base for land that might be donated to the park, and it is also vitally important for the adjoining landowners who fear they may see a diminution of the value of their property. I strongly urge passage of this legislation.

As an original cosponsor and one who has worked hard and waited long to see this day come to pass, I am pleased to rise in support of H.R. 1091, the Virginia National Parks Act. I want to congratulate Congressman BLILEY for spearheading the introduction of this much-needed effort and Chairmen YOUNG and HANSEN for their excellent leadership in bringing this bill to the floor.

Three components of this legislation directly impact my congressional district, the sixth district of Virginia: setting the boundaries of the Shenandoah National Park; the transfer of secondary roads within the Shenandoah National Park to the State; and the Shenandoah Valley National Battlefields Partnership Act.

These land-related concerns all have one common thread—they all achieve their ends through local control by communities and property owners.

I am extremely pleased that the Shenandoah Valley National Battlefields Partnership Act which our colleague FRANK WOLF has championed since the 103d Congress is contained in this legislation. As an original cosponsor of the battlefields bill I was very disappointed when it was caught in the end of the session rush of the 103d Congress and not taken up by the House. Committee testimony last Congress pointed out the national significance of the battlefields and related areas in the Shenandoah Valley and the danger they face if left unprotected.

Congressman WOLF and constituents in both of our congressional districts have worked very hard to craft this balanced legislation. Extensive local involvement was instrumental in developing a solid bill securing the Valley's rich heritage without treading on the authority of local governments or the rights of private landowners. This act represents a model partnership between Federal and local governments to preserve 12 critical Civil War battle sites throughout the Shenandoah Valley. These include three sites in the sixth congressional District: Cross Keys and Port Republic

in Rockingham County and McDowell in Highland County.

Residents of the Shenandoah Valley are fiercely proud of their heritage and the role that their valley played in the American Civil War. Not only did the battles fought in the valley play a pivotal role in the Civil War and have national importance, but the ravages from these battles on the lives of local citizens and their property were great and remain an important part of our local history. Many of the descendants of the native valley families who farmed the land where these battles were fought some 130 years ago still reside on those same family farms today.

This tremendous pride in the valley's rich heritage is the key to why public participation in the drafting of this legislation was overwhelming. More than two dozen public hearings were held throughout the valley and support has been widespread.

Prior to the introduction of the bill, I participated in a public meeting held in my congressional district by the Rockingham County Board of Supervisors to find out if support for the proposal to create the Shenandoah Valley National Battlefields Park was as widespread as we anticipated. This meeting provided a forum where all voices in the area could be heard.

The community's support was very strong. Property owners, preservation groups, and local government officials and businesses voiced their support for the bill and the Rockingham County Board of Supervisors subsequently endorsed it. This type of support has been universal. Every Chamber of Commerce and Economic Development Council in the five counties affected have endorsed this bill.

That is because our bill not only protects the irreplaceable resources of the battle sites, it also protects property rights through its entirely voluntary approach and provides opportunity for continued economic development for the region. This is achieved in a cost-efficient manner.

This legislation does not involve acquisition of thousands of acres of land by the Federal Government. There will be no Federal "taking" of local property. That approach would be antithetical to the residents of the valley who as I mentioned earlier are fiercely proud of their heritage, yet deeply suspicious of big Government.

Rather, this legislation is built on providing incentives designed to encourage local governments and landowners to voluntarily manage their communities and property in ways best to further the preservation of these sites and park objectives. It respects private property rights and recognizes federal budgetary limitations resulting from the Federal budget deficit. It creates a model, partnership between the local communities and the Federal Government to protect our valley's rich historic resources for future generations.

With regard to provisions modifying the boundary of the Shenandoah National Park—ever since my first campaign for Congress in 1991, I have heard from citizens and local governments concerned about the possible expansion of the Shenandoah National Park and the impact such an expansion would have on their property values and those communities which lie on the parameters of the park. Since 1991 this issue has been one of my top priorities.

Shenandoah National Park now encompasses 196,000 acres of land, however it has

a much larger authorized boundary of 521,000 acres created by Congress in 1926. Under this authorization, the SNP has the potential to expand in three ways without any action by Congress: by accepting donated property, by purchasing property with donated funds and through land transfers with private property owners. In fact, the only time that the park must come to Congress in order to expand is if they seek to purchase property with appropriated funds.

This situation causes local communities and property owners to constantly fear such an expansion and the potential for crippling effects upon property rights and local tax bases. In Rockingham County for example, there is the community of Beldor Hollow which has lived for several generations with the threat that citizens of the community could actually be surrounded by park land, "land-locked" if you will. In fact two members of the Rockingham County Board of Supervisors spoke to the National Parks Subcommittee about those concerns back in March when the subcommittee held hearings on this bill.

By freezing the boundaries of the park to the land that the SNP currently owns we will alleviate this threat of out-of-control expansion that has plagued these communities since the 1930's. This bill does not eliminate the potential for the park to expand in the future—it just requires that Congress approve such an expansion which provides the park's neighbors the opportunity to have a voice in the matter.

We've also taken care of another Shenandoah issue with this legislation by transferring secondary roads within the park to the state so that they can continue to be maintained. Virginia has maintained and operated these secondary roads under a series of temporary use permits since the park's creation. These permits have expired and since the National Park Service has not renewed them the State can no longer maintain these roads, many of which are in need of repairs. Our bill returns these roads to the State so that they can be maintained.

I urge my colleagues to pass this legislation which is vitally important to the entire State of Virginia.

Mr. RICHARDSON. Mr. Speaker, I have no further requests for time.

Mr. Speaker, let me conclude by stating that I will support this bill. I have some reservations. Again, I think we should give our Park Service professionals the opportunity in their boundary studies to work their will, but I am compelled to support it because of the respect I have for many Members on both sides of the aisle that would like to see this bill become law. Tomorrow when we cast the vote, I will be voting "aye."

Mr. Speaker, I yield back the balance of my time.

Mr. HANSEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FOLEY). The question is on the motion offered by the gentleman from Utah [Mr. HANSEN] that the House suspend the rules and pass the bill, H.R. 1091, as amended.

The question was taken.

Mr. RICHARDSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

□ 1630

## NATIONAL PARK SYSTEM REFORM ACT OF 1995

Mr. HANSEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 260), to provide for the development of a plan and a management review of the National Park System and to reform the process by which areas are considered for addition to the National Park System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 260

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "National Park System Reform Act of 1995".*

### SEC. 2. DEFINITIONS.

*As used in this Act:*

(1) The term "Secretary" means the Secretary of the Interior.

(2) The term "Plan" means the National Park System Plan developed under section 101.

(3) The term "Commission" means the National Park System Review Commission established pursuant to section 103.

(4) The term "Congressional resources committees" means the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

### TITLE I—NATIONAL PARK SYSTEM PLAN

#### SEC. 101. PREPARATION OF NATIONAL PARK SYSTEM PLAN.

(a) PREPARATION OF PLAN.—The Secretary of the Interior, acting through the Director of the National Park Service, shall prepare a National Park System Plan to guide the direction of the National Park System into the next century. The Plan shall include each of the following:

(1) Identification of goals and objectives for use in defining the mission and role of the National Park Service and the National Park System in preserving our Nation's heritage, relative to other efforts at the Federal, State, local, and private levels. This statement shall include a refinement for the definition of "nationally significant" for purposes of inclusion in the National Park System.

(2) Criteria to be used in determining which themes and types of resources are appropriate for representation in the National Park System, as well as criteria for judging individual sites, areas, and themes that are appropriate for inclusion as units of the National Park System.

(3) Identification of what constitutes adequate representation of a particular resource type or theme in the National Park System.

(4) Identification of which aspects of the Nation's heritage are adequately represented in the existing National Park System.

(5) Identification of appropriate aspects of the Nation's heritage not currently or adequately represented in the National Park System.

(6) Priorities of the themes and types of resources which should be added to the National Park System in order to provide more complete representation of our Nation's heritage.

(7) A thorough analysis of the role of the National Park System and the National Park Service with respect to (but not limited to) conservation of natural areas and ecosystems; preservation of industrial America; preservation of intangible cultural heritage such as arts, music, and folklore; presidential sites; open space protection; and provision of outdoor recreation opportunities.